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Attorney for Defendant

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

NOV 09 2005

at 3 o'clock and 31 min. PM
SUE BEITIA, CLERK

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA,	)	CR. NO. 04-00053 DAE
)	
Plaintiff,	)	WRITTEN REQUEST FOR NOTICE OF
	)	INTENTION TO USE EVIDENCE AND
vs.	)	FOR DISCOVERY, F.R.Cr.P.
	)	12(d)(2), 16 & 26.2 & CrimLR
	)	16.1; CERTIFICATE OF SERVICE
SILVER JOSE GALINDO,)	
aka Daniel S. Galindo,	)	COUNTS 1 & 7:
aka Timothy Mau,	)	21 U.S.C. § 841(a)(1)
	)	COUNTS 2, 5 & 8:
Defendant.	)	18 U.S.C. § 924(c)(1)
	)	COUNTS 3 & 6:
	)	18 U.S.C. § 922(g)(1)
	)	COUNT 4:
	)	18 U.S.C. § 1512(a)(2)(C)
)	

**WRITTEN REQUEST FOR NOTICE OF INTENTION
TO USE EVIDENCE AND FOR DISCOVERY,
F.R.Cr.P. 12(d)(2), 16 & 26.2 & CrimLR 16.1**

Comes now Defendant SILVER JOSE GALINDO ("Defendant"), by and through his attorney, JERRY I. WILSON, and pursuant to Rules 12(d)(2), 16 and 26.2 of the Federal Rules of Criminal Procedure (F.R.Cr.P.) and CrimLR 16.1, requests disclosure from the United States Government as follows:

1. Notice of the Government's intention to use (in its evidence in chief at trial) any evidence which the Defendant may be entitled to discover under Rule 16, F.R.Cr.P.

EXHIBIT 2

2. The names and last known addresses of persons whom the Government intends to call as witnesses, in the presentation of the evidence in chief, together with their relevant written or recorded statements;

3. Any written or recorded statements and the substance of any oral statements made by the Defendant or any of the co-Defendants, together with the names and last known addresses of persons who witnessed the making of such statements;

4. Any reports or statements of experts which were made in connection with this case or which the Government intends to introduce, or which are material to the preparation of the defense, including results of physical or mental examinations and of scientific tests, experiments or comparisons;

5. Any books, papers, documents, photographs, or tangible objects which the Government intends to introduce, or which were obtained from or which belong to Defendant SILVER JOSE GALINDO or which are material to the preparation of the defense;

6. Any prior criminal record of Defendant SILVER JOSE GALINDO;

7. Whether there has been any electronic surveillance (including wiretapping) of conversations to which Defendant SILVER JOSE GALINDO was a part or occurring on his premises;

8. Any material or information which tends to negate the guilt of Defendant SILVER JOSE GALINDO as to the offense(s) charged or would tend to reduce his punishment therefor.

9. Any material or information required by Giglio v. United States, 405 U.S. 150, 92 S.Ct. 763, 31 L.Ed.2d 104 (1972), or its progeny.

10. Any material or information required by CrimLR 16.1 not otherwise set forth above.

IT IS FURTHER requested that the Government use diligent good faith efforts to cause any material or information hereinabove requested not within its possession or control but within the possession or control of other governmental personnel to be made available to defense counsel.

You are further requested to send the above-mentioned material or information to the undersigned within the time limits set forth in CrimLR 16.1.

If, subsequent to compliance with this request or any order or orders entered pursuant hereto, you discover additional material or information which would have been subject to disclosure pursuant to Rules 12(d)(2), 16 and 26.2, F.R.Cr.P., and/or CrimLR 16.1, you are requested to promptly notify the undersigned of the existence of such additional material or information and produce same.

DATED: Honolulu, Hawaii,

NOV 08 2005


JERRY I. WILSON
Attorney for Defendant

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing will be duly mailed or delivered to the following person at his last known address upon filing and receipt of said document:

WES REBER PORTER
CLARE E. CONNORS
Assistant U.S. Attorneys
Room 6100, PJKK Federal Building
300 Ala Moana Boulevard, Box 50183
Honolulu, Hawaii 96850

Attorneys for Plaintiff
UNITED STATES OF AMERICA

DATED: Honolulu, Hawaii, _____.

NOV 08 2005



JERRY I. WILSON
Attorney for Defendant